

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Higher Education Department – Vigilance Cell - Allegation of misuse of Govt. funds by Sri T. Laxmikantha Rao, Lecturer in Commerce (Retd), Govt. Degree College, Godavarikhani, Karimnagar District - Withholding the misappropriated amount – Orders – issued.

HIGHER EDUCATION (VC.1) DEPARTMENT

G.O.Rt. No. 178

**Dated:26-03-2014.
Read the following:-**

1. From the CCE, AP, Hyderabad, Letter Rc.No.2485/Ser.I.1/2007, Dt.3.4.2013.
2. From the CCE, AP, Hyderabad, Letter Rc.No.2485/Ser.I.1/2007, Dt.18.4.2013.

ORDER:

In the references read above, the Commissioner of Collegiate Education, A.P. has stated that on certain allegations of misuse of Govt. funds by the staff of Government Degree College, Godavarikhani, Karimnagar District, the Regional Joint Director of Collegiate Education, Warangal was directed for enquiry. The Regional Joint Director of Collegiate Education in his preliminary report has opined to enquire the matter with special audit to know the amount misappropriated. Hence the matter was referred to the Chief Accounts Officer. The report of Chief Accounts Officer reveals that out of the expenditure of Rs.36,44,467/- from the accumulated special fee funds, the Principal has obtained permission from the Commissioner of Collegiate Education to utilize Accumulated Special Fee funds of Rs.9.00 lakhs only, and the remaining was spent by the Principal without any permission. Out of the total amount, among others, it has been found that an amount of Rs.2,67,387/- was misappropriated by Sri T.Laxmikantha Rao, Lecturer in Commerce (Retd.), Govt. Degree College, Godavari Khani, Karimnagar District.

2. The Commissioner of Collegiate Education, AP has stated that Sri T. Laxmikantha Rao, Retired Lecturer in Commerce has approached the Hon'ble A.P. Administrative Tribunal by filing O.A. No.7713/2012 seeking directions to release all pensionary benefits. The Hon'ble Tribunal passed orders that "the applicant is entitled for pensionary benefits and directed to release pensionary benefits to Sri T. Laxmikantha Rao, Retired Lecturer in Commerce forthwith and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order".
3. Government after careful examination of the matter, it has been observed that according to Rule-9 (2) (b) (ii) of Andhra Pradesh Revised Pension Rules, 1980, "shall not be in respect of any event which took place more than four years before such institution. Sri T. Laxmikantha Rao, Lecturer in Commerce, Govt. Degree College, Godavarikhani, Karimnagar District was retired from service on 31.08.2008. The 4 years period was completed by 08/2012. Hence, no departmental proceedings can be instituted against him as per Rule-9 (2) (b) (ii) of APRPRs, 1980.
4. As per the executive instructions issued in G.O.Rt.No.1097, Finance Dept. dt.22.06.2000, "if any irregularity of a retired employee is noticed after his retirement and no departmental proceedings can be instituted under sub rule (2) (b) of Rule 9 of APRPR's, 1980, the department can initiated criminal action against the retired officer or action under the AP Revenue Recovery Act, 1864 to recover the loss if any caused to the government by him". Further in G.O.Ms.No.995, Finance (Pension.I) Dept., dated 21.12.2002 Amendment orders were issued to Rule 9 (7) of APRPR's 1980 that "*Eventhough a Government servant has retired from service and was not before his retirement charge sheeted or called upon to explain why a pecuniary loss caused to the Government (or a local authority) due to his negligence, while he was in service, should not be recovered from him, the Government if they are satisfied that the loss is due to*

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him, shall recoup the pecuniary loss besides all Government dues or local authority dues from the Retirement Gratuity. For this purpose, it shall not be necessary to get the consent of the Government servant or the consent of the members of his family in the case of a deceased Government servant, as the case may be". Hence, it has been decided to recover the misappropriated amount of Rs.2,67,387/- from Sri T. Laxmikantha Rao, Lecturer in Commerce (Retired), Govt. Degree College, Godavarikhani, Karimnagar District.

5. Accordingly, Government hereby order for recovery of the misappropriated amount of Rs.2,67,387/- (Rupees two lakhs sixty seven thousand three hundred and eighty seven only) from the DCRG of Sri T. Laxmikantha Rao, Lecturer in Commerce (Retired), Govt. Degree College, Godavarikhani, Karimnagar District.

6. The Commissioner of Collegiate Education, AP, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Collegiate Education, A.P., Hyderabad.

Sri T. Laxmikantha Rao, Lecturer in Commerce (Retired),

Govt. Degree College, Godavarikhani, Karimnagar District through
the Commissioner of Collegiate Education, A.P., Hyderabad.

Copy to:

The Accountant General, AP, Hyderabad.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER